

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

LOCAL RULE PROVISIONS AND BANKRUPTCY COURT PROCEDURES REGARDING
RIGHTS AND RESPONSIBILITY AGREEMENTS
(For Cases Filed on or after May 21, 2007)

Local Rule 2014-1 states:

Employment of Attorney for Debtor(s) in Chapter 7 and Chapter 13 Cases.

The attorney for debtor(s) in Chapter 7 and Chapter 13 cases shall enter into a Rights and Responsibilities Agreement with each represented debtor. The Rights and Responsibilities Agreement shall conform to the Agreement adopted by this Court.

Local Rule 2016-1D states:

When Application Unnecessary. If debtor attorney's total fee in a case is \$3,000 or less, and if the attorney and his client have signed the applicable Rights and Responsibilities Agreement (**See Local Forms MOW 2014-1.1 or 2014-1.2**), the disclosure of fees in initial filings is sufficient and it is unnecessary to file an application under subpart C of this rule

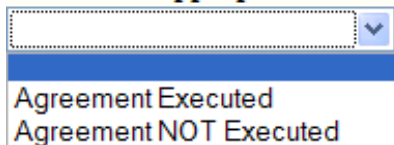
Bankruptcy Court Procedure

The chapter 7 and chapter 13 debtor's attorney must make an entry on the docket to certify to the Court that a Rights and Responsibilities Agreement (R & R Agreement) has or has not been executed. This entry shall be made contemporaneously with case opening. The entry is a text entry; there is no need to prepare and attach a pdf document. The docket event can be found at:

Bankruptcy > Other > Debtor Attorney Certification re: Rights (text only)

A drop down menu within the event allows the filer to select:

Make the Appropriate Selection



A screenshot of a web-based dropdown menu. The menu is open, showing two options: "Agreement Executed" and "Agreement NOT Executed". The menu is titled "Make the Appropriate Selection" in bold blue text. The dropdown box has a blue border and a small blue arrow pointing down on the right side.

For cases where the R & R Agreement has been executed, the final event text reads:

4	Certification by Debtor(s) Attorney that the applicable Rights and Responsibilities Agreement pursuant to Local Rule 2014-1 has been executed . (Kostrow, Roberta) (Entered: 05/08/2007)
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For cases where the R & R Agreement has not been executed, the final event text reads:

05	Certification by Debtor(s) Attorney that the Rights and Responsibilities Agreement pursuant to Local Rule 2014-1 has not been executed. Debtor(s) attorney declines the Rule 2016 no-look fee and will submit motions for compensation based on time records . (Kostrow, Roberta) (Entered: 05/08/2007)
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As indicated in the text above, attorneys choosing not to execute the R & R Agreement with the debtor(s) will file a motion for compensation with the court pursuant to Fed. R. Bankr. P. 2016. If the motion for compensation exceeds \$1,000, all creditors must be noticed (See Local Form MOW 2016-1). The new local rules have no effect on the requirement to file an Attorney Disclosure of Compensation with every new case pursuant to 11 USC § 329.

If the Certification is not filed, the Court will enter the following show cause order to the debtor's attorney:

06	<p>Order to Show Cause why the Certification by Debtor(s) Attorney regarding the Rights and Responsibilities Agreement has not been filed. If the Certification has not been filed within 20 days, the attorney may be ordered to disgorge any fees already received or the Trustee will be ordered to not make payments on attorney fees in the case, whichever is applicable, until the deficiency has been corrected or a fee application has been filed and ruled on. So ORDERED by /s/ Bankruptcy Judge. Rights & Responsibilities due by 5/28/2007. (Kostrow, Roberta)</p> <p>THE COURT WILL SERVE THIS ORDER ON PARTIES NOT RECEIVING ELECTRONIC NOTICE.</p> <p><i>This Notice of Electronic Filing is the Official ORDER for this entry. No document is attached.</i></p>
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If you have any questions about the Local Rule or this Procedure, please contact Roberta Kostrow by phone at 816-512-1818 by e-mail to:

roberta.kostrow@mow.uscourts.gov